

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TONY MATTHEWS,

Plaintiff,

v.

CONSTABLE D. WALKER,

Defendant.

Case No. 05-72639

Honorable Nancy G. Edmunds

ORDER OF DISMISSAL

Plaintiff filed a complaint on July 1, 2005 against a Constable D. Walker, Badge No. 01454-34993, allegedly employed by the City of Detroit. The following is a sample of allegations in Plaintiff's complaint:

I'm bringing this action against the City of Detroit for its mannerism of its detectives and constables for its bullying tactics and their threats on my future and their heaste to dfame my character to suit there needs with a very little regards for me being without a criminal back ground or history while applying there scams and con games on the employed and the individuals that apply them selves with passon and respect for others with a working background, their tactics of trying to eliminate them from the work force is malice and maleficent along with their painful effort to railroad me in to jail, **** vicariously victimze as this has happen three different times they have stoped my effort to be a productive citizen as this obloquy has happen, the first incursion began with her Honorable Judge Geraldine B. Ford and the detectives that went to her trying to convince her that I own a gun that I didn't even know that exist and the used two witnesses to make his story more convincing: but this plot could have easily been eliminated by a finger print test/ But the Honorable Judge put a hole in there case through a competency hearing and this brought several doctors and diagnosis in which they informed me that I was a professional gentle that is extraordinary that was gifted with an erotic enticement that engulf females and that disqualified their witness and the detectives case –

A few years later the drug war had rose to heights and the police chief himself had to admit with his articles in the news paper how corrupt they had become of the war on drugs.

As the gang squad had their hand full as the their other hand was trying to dig into the drug money as they were trying make every body that walked was surposed to be into drugs and became unfortunate that I was't a part of any of this conspiracy or any drug related fellow ship while they claim that they had the building under camera and surveillance as they tried to put some that unlawful conspiracy and tried to push me through glass window after they had confiscated photo of me that I had sent to the Paul Raymond Publication and the gang squad said that they could be consider a weapon.

This last attempt happened as I came back from truck driving school with a doctors' excuse with a perspective leave at a bus stop and Constable #01454 Mr. Walker began his bullying tactical con game on as he stated that the ticket only cost a hundred dollars and which it real cost was more than I could afford, ninety days in jail and five hundred dollar fine as tried to make me grossily incompetent as parade ing nudely as to show body parts.

The 36th District Court File Superintendent stipulation that I should forego the Constable and bring the damages too the City in re of the Constable Walker Bade 01454, 34993 the purgative information that he gave to the Magistrate was a deformation of my character for its' libel per se which I'm for which I'm seeking \$25,000,000 dollar prospective damages.

Plaintiff's Compl. at 1. Each page of the complaint contains similar nonsensical allegations.

As observed by the Sixth Circuit, "a district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion." *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). The Court finds that Plaintiff's complaint is, on its face, totally implausible, frivolous and devoid of merit. Accordingly, the Court hereby DISMISSES this action pursuant to Rule 12(b)(1).

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: August 4, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 4, 2005, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager